IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SEVENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No. 25272 of 2004

Between:

Sri K.V.L.Kantha Rao S/o K.V.Subba Rao
University of Hyderabad Campus School, Gachibowli,

R/o Seriligampaly, Hyderabad. 500 019

..... PETITIONER

AND

1. University of Hyderabad Campus School Rep. by its Chairman, Managing Committee, University of Hyderabad,

Gachibowli, Hyderabad.

2 University of Hyderabad rep. by its Registrar,
Gachibowli, Hyderabad. -500 046
3 The Enquiry Officer, Sri M.Koteswara Rao,
Retd. Joint Commissioner, kendriya Vidyalaya Sanghatan
Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction, more particularly one in the nature of Writ of Ceritiorari; a) Call for the records relating to and connected with the impugned Memo No.UHCS/2004/639 dt. 8th October, 2004 of the first respondent and also the proceedings of the first respondent vide No.UHCS/2004/749 dt. 30th December 2004 and quash or set aside holding it as arbitrary, illegal, violative of Art. 14& 16 of the Constitution of India; b) Direct the respondents not to proceed with the departmental enquiry in pursuance to the charge memo dt. 8th October, 2004 or in the alternatively direct the respondents to permit the petitioner herein to engage sri S.Surayanarayana, Section officer, Academic Staff College, University of

Hyderabad as Defence Assistant.

Counsel for the Petitioner:MR.NUTY RAM MOHAN RAO

Counsel for the Respondent Nos.1 to 3: MR.C.V.NAGARJUNA REDDY

The Court at the admission stage made the following O R D E R:

The petitioner filed the present writ petition questioning the proceedings dated 08.10.2004 and 30.12.2004 of the first respondent and also sought for a direction to the respondents not to proceed with the departmental enquiry in pursuance of the charge memo dated 08.10.2004 and alternatively to direct the respondents to permit the petitioner to engage Sri. S.Suryanarayana, Section Officer, Academic Staff College, University of Hyderabad as Defence Assistant.

Mr.Nuty Ram Mohan Rao, learned counsel appearing for the petitioner, contended that the respondents are relying upon the documents which were not furnished to the petitioner and in order to defend the case of the petitioner, the respondents shall provide the same even if they are voluminous at the cost of the petitioner. He further contended that the charges levelled against the petitioner are illegal and, therefore, sought for necessary directions.

Mr.C.V.Nagarjuna Reddy, learned counsel appearing for the respondents, submitted that the department has no objection to supply the documents at the cost of the petitioner where the documents are voluminous. He further submitted that the respondents have accepted to engage Sri S.Suryanarayana, Section Officer, to defend the case of the petitioner in the departmental enquiry.

Therefore, without going into merits, the writ petition is disposed of with the following directions:

i. That the respondents shall complete the enquiry within a period of three months;

ii. That the petitioner shall cooperate with the departmental enquiry;

iii. That the respondents shall furnish the copies of the documents relied upon by them to the petitioner before starting enquiry;

iv. If the records are voluminous, the respondents are directed to provide the same at the cost of the petitioner;

v. That if the petitioner wants any documents for the purpose of effective defence, they shall be supplied to him subject to relevance.

07.02.2005

usd

To

1. The Chairman, University of Hyderabad Campus School, Managing Committee, University of Hyderabad,

Gachibowli, Hyderabad.

2 The Registrar, University of Hyderabad,
Gachibowli, Hyderabad. -500 046

3 The Enquiry Officer, Sri M.Koteswara Rao,
Retd. Joint Commissioner, kendriya Vidyalaya Sanghatan
Hyderabad.

4 Two CD copies.